

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Jerald Times,	:	
	:	
Plaintiff,	:	23cv3229 (DLC)
	:	
-v-	:	<u>MEMORANDUM</u>
	:	<u>OPINION AND</u>
Success Academy Charter Schools, Inc.,	:	<u>ORDER</u>
et al.,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

An Opinion of December 6, 2024 granted in part the defendants' motion for summary judgment. Times v. Success Acad. Charter Sch., Inc., No. 23cv3229, 2024 WL 5009166 (S.D.N.Y. Dec. 6, 2024). On May 23, 2025, plaintiff Jerald Times filed a letter requesting that the Court recuse itself from this litigation.

A federal judge is required to recuse herself from "any proceeding in which [her] impartiality might reasonably be questioned." 28 U.S.C. § 455(a). "Phrased differently, would an objective, disinterested observer fully informed of the underlying facts, entertain significant doubt that justice would be done absent recusal?" Sacerdote v. New York Univ., 9 F.4th 95, 121 (2d Cir. 2021) (citation omitted). "Judicial rulings alone almost never constitute a valid basis for a bias or

partiality motion," and may only warrant recusal "where a trial judge displays such a deep-seated and unequivocal antagonism that it would render fair judgment impossible." Palin v. New York Times Co., 113 F.4th 245, 280 (2d Cir. 2024) (citation omitted).

"[A] judge has an affirmative duty to inquire into the legal sufficiency of" allegations of bias and prejudice, "and not to disqualify [her]self unnecessarily, particularly where the request for disqualification was not made at the threshold of the litigation and the judge has acquired a valuable background of experience." LoCascio v. United States, 473 F.3d 493, 498 (2d Cir. 2007) (citation omitted). "[R]ecusal motions are to be made at the earliest possible moment after obtaining knowledge of facts demonstrating the basis for such a claim." Id. at 497 (citation omitted).

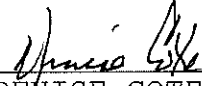
Times contends that the December 6, 2024 Opinion was wrongly decided and reflects bias and a lack of impartiality. He attaches charts to his May 23 letter to illustrate his point. He claims that the Court did not sufficiently credit what he considers to be compelling evidence of discrimination. He also claims that the Court improperly applied the standard for summary judgment by ignoring disputed issues of material fact. Disagreements with the December 6, 2024 Opinion do not provide a

valid basis for recusal. See Palin, 113 F.4th at 280. Times' request for recusal is also untimely. The Court assures all parties that it is committed here, as in all cases assigned to its docket, to administer the law fairly and impartially.

Accordingly, it is hereby

ORDERED that Times' May 23 request for recusal is denied.

Dated: New York, New York
June 18, 2025



DENISE COTE
United States District Judge